

David W. Newman (USB #15901)
Assistant United States Trustee
Matthew J. Burne (USB#18605)
UNITED STATES DEPARTMENT OF JUSTICE
Office of the United States Trustee
Washington Federal Bank Building
405 South Main Street, Suite 300
Salt Lake City, UT 84111
Telephone: (801) 524-5734
Facsimile: (801) 524-5628
Email: David.W.Newman@usdoj.gov
Email: Matthew.Burne@usdoj.gov

Attorneys for Patrick S. Layng
United States Trustee, Region 19

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH**

In re:	Bankruptcy Case No. 24-23530
AMMON EDWARD BUNDY,	Chapter 7
Debtor.	Hon. William T. Thurman

**EX-PARTE MOTION FOR AN ORDER AUTHORIZING UNITED STATES TRUSTEE
TO CONDUCT AN EXAMINATION OF THE BUNDY FAMILY FOUNDATION,
PURSUANT TO FEDERAL RULE OF BANKRUPTCY PROCEDURE 2004**

The United States Trustee (“UST”) through his undersigned counsel, hereby moves this Court *ex-parte* for an order allowing the examination of the Bundy Family Foundation, pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”).

In support of this Motion, the UST respectfully represents as follows:

1. The Court has jurisdiction of this matter under 28 U.S.C. §§ 1334(a) and (b); 28 U.S.C. §§ 157(a) and (b)(1); and 28 U.S.C. §151. This Motion is filed pursuant to Fed. R. Bankr.

P. 4004(b).

2. On July 17, 2024 (“Petition Date”) the Debtor, acting pro se, filed a voluntary petition for relief under Chapter 7 of Title 11 of the United States Code, 11 U.S.C. § 101 et seq (the “Bankruptcy Code”).

3. On July 17, 2024, Mark C. Rose (“Trustee”) was appointed as the chapter 7 Trustee in the case and continues to serve in that capacity.

4. On August 14, 2024, the Trustee conducted the 11 U.S.C. §341 Meeting of Creditors (“Meeting of Creditors”) and continued the meeting to August 19, 2024. On August 19, 2024, the Meeting of Creditors was conducted and various parties, including counsel for the UST, questioned the Debtor for approximately two hours.

5. Thereafter, the UST received communications, and obtained information and documents regarding the Debtor’s financial condition and disclosures. Accordingly, the UST has opened a review and inquiries of the Debtor’s bankruptcy related disclosures and current financial circumstances.

6. The UST obtained information from public records regarding Debtor’s financial condition, but additional information and documents are needed. Those records indicate Debtor likely has or had interests in business entities and assets which have not been fully disclosed or were transferred. The UST has requested documents from St. Luke’s Health System’s attorneys but has not received the documents.

7. The UST seeks leave to conduct an examination of the Bundy Family Foundation to further investigate the Debtor’s transactions, investments, disclosures, financial affairs and other aspects of the case. Based on information and belief, the Debtor, or an insider of the Debtor, owns

or controls Bundy Family Foundation. Furthermore, Bundy Family Foundation may have information regarding the Debtor's financial condition and disclosures in this Case.

8. The UST proposes to conduct the Rule 2004 Examination of the Bundy Family Foundation, by way of a subpoena *duces tecum*, and/or by way of an oral examination, to the extent necessary, either in person at the office of the UST or via video conference to be facilitated by Behmke Reporting and Video Services, Inc. The proceedings will be recorded by stenographic means and will continue until adjourned. The recording of the examination shall only be transcribed upon request and payment of the transcription costs shall be by the requesting party.

9. To the extent it becomes necessary, the UST may seek to use the transcript of such Rule 2004 Examination in any action commenced by the UST or any other party against the Debtor under § 727 of the Bankruptcy Code or other applicable law.

10. Unless otherwise stipulated in writing, the UST will provide the Bundy Family Foundation not less than 14 days written notice of the examination and the attendance of the Bundy Family Foundation and the production of documents will comply with Bankruptcy Rule 2004(c).

WHEREFORE, the United States Trustee prays that this Court enter an order allowing the examination of the Bundy Family Foundation pursuant to Federal Rule of Bankruptcy Procedure 2004.

Date: September 27, 2024

UNITED STATES TRUSTEE
Patrick S. Layng

/s. Matthew J. Burne
Matthew J. Burne
Attorney for the United States Trustee